



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 10, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

34 September 10, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD
ROADWAY RECONSTRUCTION
BRANDON STREET, ET AL.
IN THE UNINCORPORATED COMMUNITY OF EAST PASADENA
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to approve and advertise the project to roadway pavement reconstruct on Brandon Street, et al., in the unincorporated community of East Pasadena; adopt the Addendum to the Negative Declaration and the plans and specifications; authorize the Director of Public Works or her designee to award and execute a consultant services agreement for the preparation of a baseline construction schedule and storm water pollution prevention plan for a fee not to exceed \$10,000 and a construction contract with the apparent responsible contractor with the lowest responsive bid; deliver the project; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

IT IS RECOMMENDED THAT THE BOARD:

1. Consider the Addendum to the Negative Declaration for the proposed project; find that on the basis of the whole record before the Board that there is no substantial evidence the Brandon Street, et al., project will have a significant effect on the environment; certify that the Addendum to the Negative Declaration reflects the independent judgment and analysis of the Board; and adopt the Addendum to the Negative Declaration.
2. Approve and advertise the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for Brandon Street, et al., at an estimated

construction contract cost between \$1,700,000 and \$2,300,000.

3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on October 8, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisement.

4. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and a storm water pollution prevention plan for a fee not to exceed \$10,000 funded by existing project funds.

5. Authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance certificate submitted by the contractor, and deliver the project.

6. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for the Board to approve and advertise the project, adopt the Addendum to the Negative Declaration and the plans and specifications, authorize the Director of Public Works or her designee to award and execute a consultant services agreement to prepare a baseline construction schedule and a storm water pollution prevention plan for a fee not to exceed \$10,000 funded by existing project funds and a construction contract with the apparent responsible contractor with the lowest responsive bid, deliver the project, and delegate certain responsibilities to the Director or her designee to carry out this project.

The proposed consultant services agreement to prepare a baseline construction schedule and a storm water pollution prevention plan that conform to the County of Los Angeles' specifications is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. The Department of Public Works may return to the Board to recommend that the bidder be determined nonresponsible and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables which conform to the County's specifications.

The limits of the project are as follows:

- Brandon Street – 510 feet west of Madre Street to Lotus Avenue
- Green Street – 470 feet west of Madre Street to 350 feet east of Madre Street

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing improved roadway facilities for the traveling public, which will benefit the community.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$1,700,000 to \$2,300,000. The total project cost is estimated to be \$4,538,000. In addition to the construction contract cost, the total project cost includes preparation of plans and specifications, consultant services, survey, right-of-way and utility clearance, materials testing, inspection, contract administration, change order contingency, and other County services.

The project cost will be financed with State Proposition 1B Transportation Bond funds under the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006. Financing for this project is included in the Fifth Supervisorial District's Road Construction Program in the Fiscal Year 2013-14 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project is part of Public Works' ongoing highway construction program. It will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 80 working days. It is estimated the work will start in February 2014 and be completed in June 2014.

Delegating to the Director or her designee the authority to award and execute this construction contract allows an expedited contracting process to obtain a contractor for roadway reconstruction.

Effective January 1, 2011, State law requires that projects funded with specific bond funds be subject to monitoring and oversight by the Department of Industrial Relations' Compliance Monitoring Unit (CMU). In order to comply with guidance issued by the CMU, contractors and subcontractors engaged in this contract will be required to submit electronic certified payrolls directly to the State. The CMU may invoice Public Works up to one quarter of one percent of the total project cost.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: the County of Los Angeles Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law,

Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

On March 3, 2004, Agenda Item 32, the Board approved the Negative Declaration for the Brandon Street and Green Street project. The Negative Declaration found that the project will not have a significant effect on the environment in accordance with the provisions of California Environmental Quality Act (CEQA). In accordance with Sections 15162 and 15164 (b) of the CEQA Guidelines, an Addendum to the Negative Declaration was prepared, since there are only minor technical changes or additions that do not result in any significant effect on the environment. The changes, including the name change to Brandon Street, et al., are identified in the Addendum.

The project is not exempt from payment of a fee to the California Department of Fish and Wildlife pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Wildlife. Upon the Board's adoption of the Addendum to the Negative Declaration, Public Works will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing and processing fees with the County Clerk in the amount of \$2,231.25.

The location of the documents and other materials constituting the record of the proceedings upon which the Board's decision is based in this matter is the County of Los Angeles Department of Public Works, Programs Development Division, 900 South Fremont Avenue, 11th Floor, Alhambra, California 91803. The custodian of such documents and materials is Mr. Ed Dingman.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Director or her designee will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County's website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing improved roadway facilities for the traveling public, thereby benefiting the community.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTS:ss

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

**ADDENDUM TO A NEGATIVE DECLARATION
BRANDON STREET AND GREEN STREET
(PROJECT NAME REVISED TO BRANDON STREET, ET AL.)**

SUBJECT: Preparation of an Addendum to a Negative Declaration in compliance with the State guidelines for the implementation of the California Environmental Quality Act (CEQA) Guidelines, Section 15164(b).

**REFINED
PROJECT:** The County of Los Angeles Department of Public Works is proposing to make minor changes to the approved Brandon Street and Green Street project. The proposed project consists of the reconstruction of deteriorating roadway and the construction of new curb, gutter, and sidewalk on Brandon Street and Green Street. The refined project would involve incorporating Low Impact Developments into the design of the project. These "green" design elements will include items, such as drought-tolerant plants within a bioretention basin, permeable pavers and pavement, underground water retention capture devices, and the use of recycled (rubber tires) asphalt concrete pavement. It also addresses the total number of trees to be affected. The number of trees to be removed or root pruned on Brandon Street has been revised from 19 trees, including 3 oak trees, to 12 trees, including 1 oak tree to be removed or root pruned. On Green Street the trees to be removed or root pruned is revised from 10 trees to 6 trees.

LOCATION: The proposed project is located in the unincorporated County community of East Pasadena (see attached map). The work on Brandon Street extends from 510 feet west of Madre Street easterly to Lotus Avenue. The work on Green Street extends from 490 feet west of Madre Street to 350 feet east of Madre Street.

**APPROVED
PROJECT
DESCRIPTION:** The approved project includes the reconstruction of deteriorating roadway pavement and installation of new curb, gutter, and sidewalk on Brandon Street and Green Street.

The work on Brandon Street extends from 510 feet west of Madre Street, easterly to Lotus Avenue. Brandon Street is 30 feet wide from the edge of pavement to edge of pavement and does not have sidewalk or curb and gutter, except for a 250-foot section on the south side of the street. The existing pavement is in fair to poor condition

with longitudinal cracks evident. The work will involve reconstructing the roadway surface with 4-inch asphalt concrete on 6-inch crushed miscellaneous base to a new width of 40 feet and constructing new curb, gutter, and sidewalk along the extent of the project. Corner cutoffs will be required to provide a total of eight 25-foot-radius County standard curb returns. Acquisition of right of way will be necessary for these corner cutoffs. Nineteen mature trees, including three oak trees, would either be removed or root pruned.

The work on Green Street extends from 490 feet west of Madre Street to 350 feet east of Madre Street. Along these limits, the existing pavement width of Green Street is 30 feet. There is no existing curb, gutter, or sidewalk except at the intersection with Madre Street. The roadway pavement is in fair to poor condition with many visible cracks. The proposed work involves reconstructing the roadway with 4-inch asphalt concrete on 6-inch crushed miscellaneous base at a new width of 34 feet and installing new curb, gutter, and sidewalk. New curb returns and ramps will be constructed at the intersection with Madre Street. Corner cutoffs will be required to enable construction of the four 25-foot-radius County standard curb returns. Acquisition of right of way will be necessary for these corner cutoffs. Ten mature trees would either be removed or root pruned.

DATE OF
PROJECT
APPROVAL:

Negative Declaration approved on March 3, 2004.

PUBLIC
AGENCY
APPROVING
PROJECT:

Los Angeles County Board of Supervisors

BACKGROUND
INFORMATION:

The purpose of the proposed project is to improve the safety and mobility for both pedestrians and motorists.

ADDITIONAL
INFORMATION
CHANGES:

The Addendum to the Negative Declaration is necessary to address minor changes of incorporating the Low Impact Developments into the design of the Brandon Street and Green Street project. It also addresses the total number of trees to be affected. The number of trees to be removed or root pruned on Brandon Street has been revised from 19 trees, including 3 oak trees, to 12 trees, including 1 oak tree to be removed or root pruned. On Green Street, the trees to be removed or root pruned is revised from 10 trees to 6 trees.

The minor changes in incorporating the proposed Low Impact Developments and the revision in the number of trees to be impacted does not change the circumstances under which the project is proposed and will not lead to any environmental impacts that were not previously analyzed in the approved Negative Declaration. The Low Impact Developments will be part of the plans and specifications and incorporated into the construction contract for this project, and compliance will be assured through the enforcement of contractor performance. Accordingly, no additional mitigation is required.

FINDING:

The Addendum to the Negative Declaration has been prepared pursuant to CEQA Guidelines, Section 15164(b). The implementation of the proposed modifications will not result in any new impacts to the environment.

The changes discussed within this document are changes as discussed in CEQA Guidelines, Section 15164(b). The proposed incorporation of the Low Impact Developments to the design does not substantially change the circumstances under which the project is proposed and does not raise to the level of significance any new information that would have triggered either a subsequent or supplemental Negative Declaration as discussed in CEQA Guidelines, Section 15162(b). The proposed project will still have to comply with all previously identified feasible mitigation measures. With the incorporation of the approved mitigation, all impacts of the refined project will continue to be below the level of significance. Thus, the revisions to the project will not result in any significant impacts.

ADDENDUM

PREPARATION:

This Addendum to the Negative Declaration was prepared by the County of Los Angeles Department of Public Works, Programs Development Division, Environmental Planning and Assessments Section. The contact person is Ms. Sarah D. Scott at (626) 458-3916. This Addendum was completed on May 20, 2013.